

**UNITED STATES DISTRICT COURT  
DISTRICT OF NEW JERSEY**

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KINGSLEY DONALDSON,

Plaintiff,

v.

HERTZ CORPORATION,

Defendant.

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Civil No. 08-5786 (SRC)

**ORDER**

**CHESLER, District Judge**

**THIS MATTER** having come before the Court on the application of Plaintiff Kingsley Donaldson to file a Complaint without prepayment of fees pursuant to 28 U.S.C. § 1915; and Plaintiff having submitted an affidavit of poverty; and the Court having reviewed Plaintiff's allegations to determine if *sua sponte* dismissal is required by 28 U.S.C. § 1915(e)(2)(B);

**IT IS** therefore on this 9th day of February 2009,

**ORDERED** that Plaintiff's application to proceed *in forma pauperis* is hereby granted and the Clerk shall file the Complaint without prepayment of the filing fee; and it is further

**ORDERED** that the Complaint may proceed past *sua sponte* dismissal; and it is further

**ORDERED** that, pursuant to 28 U.S.C. § 1915(d), the Clerk shall issue summons and the United States Marshal shall serve summons and copies of the Complaint and this Order upon Defendant, with all costs of service advanced by the United States; and it is further

**ORDERED** that, pursuant to 28 U.S.C. § 1915(e)(1) and § 4(a) of Appendix H of the Local Civil Rules, the Clerk shall notify Plaintiff of the opportunity to apply in writing to the

assigned judge for the appointment of pro bono counsel; and it is further

**ORDERED** that, if at any time Plaintiff seeks the appointment of pro bono counsel, pursuant to Fed. R. Civ. P. 5(a) and (d), Plaintiff shall (1) serve a copy of the Application for Appointment of Pro Bono Counsel by regular mail upon each party at his last known address or, if the party is represented in this action by an attorney, upon the party's attorney at the attorney's address, and (2) file a Certificate of Service with the Application for Pro Bono Counsel.

s/ Stanley R. Chesler  
Stanley R. Chesler, U.S.D.J.